

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, SEPTEMBER 9, 2009

Present: Ald. Schnipper (Chairman, Lennon, Albright, Salvucci, Gentile, Yates, Mansfield, and Lappin

Also present: John Daghlian (Associate City Engineer), Nick Parnell (Commissioner of Public Buildings), Arthur Cabral (Budget and Project Specialist; Public Buildings Department), Joseph LaCroix (Fire Chief), Tom Lopez (Newton Fire Department Union President) and Shawna Sullivan (Committee Clerk)

#236-09 JOHN F. FANTASIA, 337 California Street, Newton 02458, petitioning for a common sewer main to be constructed in CALIFORNIA STREET from the existing sewer manhole located approximately 200' east of the intersection of Chapel Street and California Street westerly 460' ± to a proposed manhole in California Street. (Ward 1) [07/15/09 @ 12:40 PM]

ACTION: **APPROVED 7-0 (Lennon not voting)**

NOTE: Associate City Engineer John Daghlian presented the request to extend the sewer main in California Street to provide service to four homes currently on septic systems. The petitioner, John Fantasia, originally petitioned the City in January of 2004 when he learned his septic system was failing and would not pass a Title V inspection. The current sewer main in California Street ends in front of house #318 and the petition requests that the main be extended 360' and have a depth of approximately ten feet. There are five houses connected to an old 1904 sewer main that cannot be continued due to the steep slope of the main. The five houses will be reconnected to the new sewer main. There are two houses connected to the Massachusetts Water Resources Authority's (MWRA) trunk line and will be relayed to the proposed new line. The MWRA requires houses to be disconnected from their trunk line if a parallel sewer main is installed. The property owners of the seven houses will not be charged an assessment fee as they, or the previous owners, have already been assessed for the main.

The four houses that are not currently connected to any sewer main will pay an estimated total assessment of \$6,629. A breakdown of the estimated individual assessments was attached to the agenda. The total estimated cost of the project is \$144,100. The funds for the extension of the sewer main are already included in the operating budget. The work will be performed by a contractor. The project will require a police detail but that portion of California Street will remain open during construction.

The Chair opened the public hearing and John Fantasia, 337 California Street, stated that he is in favor of the construction of the sewer line. There were no other people who wished to speak on the petition and the public hearing closed. Ald. Salvucci pointed out that the failure of the septic system constitutes an emergency; therefore, Ald. Albright moved approval of the item with an emergency preamble, which carried unanimously. The emergency preamble will allow the work to begin immediately after the Board approves the item.

#237-09 VERIZON NEW ENGLAND, INC. petitioning for a grant of location to set new Pole 64/14A in CARLISLE STREET to be used to guy existing Pole 64/14 and to eliminate the aerial cables from crossing over the property at 124/126 Carlisle Street. (Ward 6) [07/30/09 @ 11:00 AM]

ACTION: **APPROVED SUBJECT TO 2ND CALL 7-0 (Albright not voting)**

NOTE: Gary Savignano, Verizon Rights and Ways Manager, presented the grant of location petition to the Committee. The petition is a request to install a new pole on Carlisle Road to guy the pole line and eliminate cables crossing over the property of 124 and 126 Carlisle Road. The new pole will not include any type of guy wire. The new pole will create a new cable path within the public way, where it is required that cables servicing more than one property are located. Ald. Salvucci asked who requested that the cable crossing be eliminated. Mr. Savignano responded that the property owner requested the elimination. Ald. Salvucci inquired if the property owner would be charged for the new pole. Mr. Savignano explained that Verizon does not charge property owners when it is Verizon's responsibility to ensure that the cables are within the public way. The Department of Public Works has reviewed the petition and signed off.

The public hearing was opened and Peter Murphy, 113 Carlisle Street, spoke on the petition. He would like to know if there would be any disruption to service in the neighborhood. Mr. Savignano assured Mr. Murphy that there would be no disruption as Verizon is just realigning the wires. Mr. Murphy is in favor of the petition; however, he believes that the petition does not accurately portray the proposed pole location. Mr. Murphy stated that there is already a pole located on Carlisle Road at the proposed location for the new pole. The Committee questioned the Associate City Engineer, John Daghlian regarding the pole location. Mr. Daghlian stated that Gerry O'Shea of the Engineering Department makes a site visit to each proposed grant of location. He suggested that it would be easier to determine the location of the pole if Verizon provided the City with digital photographs of the site. The Committee was concerned that there was a mistake regarding the proposed pole location and would like Mr. Daghlian to visit the site to determine where the pole is to be located. The Committee discussed whether to hold the item. It was suggested that a motion to approve subject to second call would be an appropriate action. Ald. Gentile also requested that the Committee Clerk contact the owner of 124/126 Carlisle Road to determine if the plan meets their approval. Ald. Mansfield moved approval of the item subject to second call, which carried. If the Verizon plan is inaccurate, Verizon will need to submit a new plan, paperwork, and a digital photograph.

Clerk's Note: The Engineering Division visited the site of the pole location and Verizon's petition and plan are correct. Verizon has verified that the property owner of 124/126 Carlisle Road requested the wire crossing be eliminated and that the property owner is aware of the proposed pole location.

#238-09 NSTAR ELECTRIC COMPANY petitioning for a grant of location to install approximately 728 feet of conduit in Lowell Avenue and Elm Road and to install 2 new manholes in Elm Road to provide electric service to the new Newton North High School. (Ward 2) 08/06/09 @ 10:56 AM]

ACTION: **APPROVED 5-1-1 (Lappin opposed; Mansfield abstaining; Albright not voting)**

NOTE: Maureen Carroll, NStar Representative, and Commissioner of Public Buildings Nick Parnell joined the Committee to discuss the petition for a grant of location to install conduit and two new manholes in Lowell Avenue and Elm Road. The new conduit is solely needed to provide upgraded service to the new high school. Chairman Schnipper explained that the conduit has already been installed within the two roads but the electrical cables have not been pulled through the conduit. Therefore, there is currently no new electrical service being provided by the new conduit.

Commissioner Parnell explained that Elm Road was opened, all of the utilities were installed, and it was repaved during the summer of 2008. It was decided it was best to install the conduit and manholes at that time to avoid reopening of the road, as the construction on Elm Road was very disruptive to residents and it would save neighborhood from further inconvenience. Dimeo Construction worked with White's Construction, a contractor who has worked with NStar on installations a number of times, to install a concrete vault, manholes and lay conduit. If the conduit were not installed at that time, it would have required NStar to rip up Elm Road again this summer. The construction team could have waited for NStar but wanted to spare the neighbors. Dimeo and Turner also wanted to insure that there was electricity available to heat the building this winter to avoid having to place large generators around the site. The generators create a large amount of noise and the installation of the conduit will save the community from the noise.

Ald. Mansfield asked why the grant of location could not have been brought to the Board last year. The Commissioner explained that NStar did not have the ability to coordinate it in the limited time available. Commissioner Parnell will provide the Aldermen with all the civil plans used for the vault and conduit. Many of the Committee members were upset that work was already completed and they were unaware of it. The Committee understood the concern for the disruption of the neighborhood but committee members felt that there needed to be better communication and that this type of decision should be shared with the Aldermen as a courtesy.

The public hearing opened and no one spoke for or against the petition. The Chair suggested that it might be appropriate to include an emergency preamble to ensure that the new building can be heated when needed. Ald. Yates moved approval of the item with the emergency preamble, which carried by a vote of five in favor, one opposed and one abstention. Ald. Lappin voted against the petition because the work had already been completed. Ald. Mansfield abstained for the same reason.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#11-09(2) **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend three million, eight hundred thirty-nine thousand dollars (\$3,839,000) from bonded indebtedness for the reconstruction of Fire Station # 7. [08/04/09 @ 4:29 PM]

ACTION: **APPROVED 5-0-1 (Gentile abstaining; Mansfield and Albright not voting)**

NOTE: The Project Architect, Debra Durland, of Durland Van Voohis Architects, gave a PowerPoint Presentation to the Committee. A hard copy of the presentation was attached to the agenda. Fire Station #7 was built in 1955 and there has been very little in the way of improvements since then. The presentation included lay out for each area of the fire station. The rehabilitation will provide a more organized space within the mechanic bays, private individual areas for the firefighters to sleep, additional storage space, and a second means of egress from the building. The building is on a hill and the parking lot and two overhead doors to access the mechanics' service space are located in the rear of the building. The layout of the first floor remains the same except for a new porch, better accessibility to the station and a new staircase. There is a major redesign of the second floor. As previously mentioned, there will be private spaces for sleeping, a day room, and new facilities for both men and women. The roof is new and there is minimal work planned on the roof in order to maintain the warranty on roof. Ms. Durland also provided the probable cost of the rehabilitation, which is \$4,182,799. If the design contingency were increased to 5%, the total cost would be \$4,269,885.

Ald. Yates asked if the ability for solar generated hot water remained. Ms. Durland stated that the solar equipment was removed when the new roof was installed. Commissioner Parnell explained that the Public Buildings Department is looking at the possibility of installing photovoltaic equipment. However, the idea is still in the early investigative stage. Ald. Mansfield inquired if a new hot water system is being installed and if it could utilize the photovoltaic system. Ms. Durland stated that the rehabilitation includes a new gas hot water system; the photovoltaic system is used to generate electricity.

Fire Chief LaCroix spoke on the rehabilitation and stated that he is pleased that there will be the ability to use the new stair tower for high-rise fire training. The firefighters currently utilize the Boston College parking garage to train for this type of fire. Chief LaCroix alluded to the alternative design, which includes an additional mechanics bay. Ms. Durland's presentation included slides depicting the additional mechanics bay and the costs associated with the additional mechanics bay. The new attached bay would be 1,500 square feet and would service the newer fire equipment that cannot be serviced within the two existing bays due to their size. The Fire Department services their whole fleet at Station #7. The addition will service the biggest pieces of equipment. Currently, there are two vehicles within the fleet that cannot fit into the existing service bays; however, as the old fleet is replaced there will be other trucks that do not fit within the current mechanic bays. The newer fire trucks are taller and wider and when they are being serviced there needs to be 18' of clearance. Anything the city buys in the future would need to be custom built to allow them to be serviced in the existing mechanic bays, which would increase the cost of the new vehicles greatly. The new bay will be 20' in height and able to accommodate the new vehicles. All three bays will be utilized for repair of any type of vehicle. Committee members asked where the two fire engines are serviced. The work is done outside of Fire Station #7, as all mechanics are located at that station. Ms. Durland also provided a second alternative to address the mechanic bay issue. It is possible to put up a temporary building to be used as a mechanics bay but it will not last very long. Ms. Durland provided a picture and costs of a freestanding structure to be used as a mechanics bay. The Committee members felt that a temporary structure was not the way to resolve the issue.

Ald. Lennon is becoming increasingly concerned about the cost of the rehabilitation of

the fire stations. The rehabilitation of Station #4 has exceeded its original budget and it appears the even without the mechanics bay Station #7 will also exceed the projected funding. It is his fear that due to cost overruns at the two stations the city will not be able to rehabilitate the other stations. Ald. Lennon suggested looking at other alternatives that do not have such a cost impact such as utilizing the Department of Public Works' mechanic bay. Ald. Salvucci stated that the Public Works garage is not large enough to accommodate the fire trucks. Ald. Gentile urged that the new bay be a couple of feet higher to guarantee space for vehicles in the future. Ms. Durland felt that it was possible to build the bay a few feet taller.

Ald. Lennon also thought that adding the mechanic bay would become more palatable if there was an ability to work on other cities' and towns' equipment for a fee to help defray the cost. Chief LaCroix responded that he could put out feelers to other communities to determine if there is a need. The Chief also pointed out that many of the major repairs are done by the mechanics and the bay is an investment in the future. If it becomes necessary to send equipment out for service, it will be very expensive. It is important to build stations that meet the needs of the fire department. Ald. Lennon encouraged the Chief to find answers, such as whether it is possible to service the larger trucks in the Public Works Department garages. Ald. Gentile asked how the Aldermen could justify the cost of Station #7. He also asked if the other stations are going to be significantly less costly. The Fire Chief could not comment on the costs of the other stations but felt that the rehabilitation would provide a place for training and the ability for the Fire Department to continue to repair its own equipment. Commissioner Parnell explained that Station #7 is probably the most complex station. Some of the other stations are smaller and will not be as expensive to rehabilitate. There are other stations that are much newer than Station #7 and will not require the same amount of rehabilitation.

Ald. Lennon pointed out that the fire station rehabilitations are part of the Capital Plan and are each budgeted for approximately \$2.8 million. The Mayor's request for bond authorization is for \$3,839,000 and the figure given by architect for the rehabilitation without the third bay is \$4,182,799. The Commissioner responded that the Mayor would be sending a request for an amendment to the docket item. Ald. Lennon stated that it is important to paint a realistic picture of the fire station rehabilitations. The Committee felt that the financing of the station rehabilitations should be discussed in the Finance Committee. Commissioner Parnell provided the attached spreadsheet, which outlines the project costs with and without the addition of the mechanic's bay.

Ald. Yates asked if the City has applied for any grant money available to the Fire Department for rehabilitation. The Fire Chief responded that there has been application sent in and he is just waiting to hear if the Fire Department will receive funds. Ald. Yates felt that Station #7 is a citywide facility, as all the fire equipment is repaired at the site. He also reasoned that if the new standard is to build all the apparatus higher, you have a good case for the third bay.

Commissioner Parnell informed the Committee that the project has been reviewed by the Design Review Committee (DRC). The DRC was very responsive to what is being done. The DRC preferred the permanent mechanics bay to the temporary structure. Tommy Lopez, Fire Union President, voiced his support of the project and pointed out that the Chief and architects

are creating a place to train for high-rise fires that was recommended as part of study in 1980. Ald. Yates moved approval of the item, which carried. Ald. Gentile abstained due to the questions regarding financing. However, he does agree with the Design Review Committee's recommendation to build the mechanic's bay as part of building.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#196-07(5) HIS HONOR THE MAYOR requesting authorization to appropriate and expend an additional one hundred twelve thousand, four hundred dollars (\$112,40) from bonded indebtedness for the rehabilitation of Fire 0 Station #4. [08/04/09 @ 4:28 PM]

ACTION: **APPROVED 7-0-1 (Gentile abstaining)**

NOTE: Arthur Cabral presented the request for additional funds for the rehabilitation of Fire Station #4. The funds are being requested to close out work at Fire Station #4. The rehabilitation is over 95% done. The station should be back on-line in early October. A list of the major change order items was included as part of the backup attached to the agenda. Mr. Cabral explained that some of the change orders such as the removal of the underground fuel tank were not part of the original budget. In addition there was additional asbestos abatement required that was not anticipated. There was also a change order due to the need to reconstruct the driveway apron, as when it was opened it was discovered that there were poor subsurface conditions.

Ald. Salvucci stated that the overhead doors seem to be very large. Fire Chief LaCroix responded that the doors are the standard 14' x 14' doors, which meet the size requirement for future equipment. The Committee requested copies of all pending change orders related to the project. Mr. Cabral agreed to provide those to the Board and they are attached to the report. The Committee also requested that the Fire Chief or Public Buildings Department provide a memo to the committee regarding the installation of smoke desks and the watch desks at various stations. Ald. Yates moved approval of the item, which carried by a vote of seven in favor and one abstention. Ald. Gentile abstained as he wished to review the change orders and had further questions regarding the financing of the rehabilitation. Commissioner Parnell encouraged Committee members to walk through Station #4 before it is opened.

#385-07 ALD. SCHNIPPER AND GENTILE updating the Public Facilities Committee on the progress of the Newton North High School Project. [11/21/07 @ 10:23 AM]

ACTION: **HELD 8-0**

NOTE: The project is on time and significantly under budget at this point. The Mayor will be coming to the Board of Aldermen to talk about the project in the next few weeks. The school administration has walked through the new school and there is tremendous excitement. The Building should be turned over in the spring. With that, the Committee held the item for further discussion at the next meeting.

Respectfully submitted,

Sydra Schnipper, Chairman



David B. Cohen
Mayor

PUBLIC BUILDINGS DEPARTMENT

A. NICHOLAS PARNELL, AIA, COMMISSIONER

Telephone: (617) 796-1600

Fax: (617) 796-1601

TTY: (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

#11-09(2)

09 SEP 11 PM 4:08
CITY CLERK
NEWTON, MA 02159

September 10, 2009

Alderman Sydra Schnipper
Chairperson, Public Facilities Committee
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RE: Fire Station #7 Renovation Project - Additional Back Up Materials – Docket Item # 11-09(2)

Dear Alderman Schnipper:

Enclosed please find additional back up materials regarding our request for funding for the Fire Station #7 Renovation Project.

The material is a revised spreadsheet outlining the project cost with and without the addition of the Mechanic's Bay.

Should you have any questions, please feel free to contact my office.

Sincerely,

A. Nicholas Parnell, AIA
Commissioner of Public Buildings

ANP:dla

Enclosure

CC: Mayor David B. Cohen

Honorable Board of Aldermen

David Olson, Clerk of the Board

Sandy Pooler, Chief Administrative Officer

Susan Burstein, Chief Budget Officer

Chief Joseph LaCroix

Arthur F. Cabral, Budget and Project Specialist

Fire Station #7 Revised Budget

9/10/2009

#11-09(2)

	Projected Budget	Additional Cost Mechanics Bay	Projected Budget (w/mechanic bay addition)
Design (includes MEP Commissioning)	\$ 287,500	\$ 54,000	\$ 341,500
Clerk of the Works / PM	\$ 60,000	\$ -	\$ 60,000
Moving / Cleanout of station	\$ 15,000	\$ -	\$ 15,000
Storage Container Rental	\$ 2,500	\$ -	\$ 2,500
Temporary Housing	\$ 113,000	\$ -	\$ 113,000
Construction	\$ 3,210,327	\$ 441,000	\$ 3,651,327
Site Work	\$ 215,272	\$ 54,000	\$ 269,272
FF & E	\$ 80,000	\$ 10,000	\$ 90,000
Sub Total	\$ 3,983,599	\$ 559,000	\$ 4,542,599
Remaining Project Contingency	\$ 199,180	\$ 27,950	\$ 227,130
Revised Budget Total	\$ 4,182,779	\$ 586,950	\$ 4,769,729

Potential Bid Dates:

Potential Bid Dates:

(No mechanic bay addition)

(w/mechanic bay addition)

Specs Available	13-Oct-09	4-Nov-09
Pre-Bid	27-Oct-09	18-Nov-09
Filed Sub Bids	10-Nov-09	3-Dec-09
General Bids	24-Nov-09	17-Dec-09

09 SEP 11 PM 4: 08
CITY CLERK
NEWTON, MA 02459



PUBLIC BUILDINGS DEPARTMENT

#196-07(5)

A. NICHOLAS PARNELL, AIA, COMMISSIONER

Telephone: (617) 796-1600

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TTY: (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

David B. Cohen
Mayor

September 10, 2009

Alderman Sydra Schnipper
Chairperson, Public Facilities Committee
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RE: Fire Station #4 Renovation Project – Additional Back Up Materials – Docket Item
196-07(5)

Dear Alderman Schnipper:

Enclosed please find additional back up materials regarding our request for funding for the Fire Station #4 Renovation Project.

These materials are copies of change orders #1 thru #6 and a copy of the Revised Budget.

Should you have any questions, please feel free to contact my office.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Nicholas Parnell".

A. Nicholas Parnell, AIA
Commissioner of Public Buildings

ANP:dla

Enclosure

CC: Mayor David B. Cohen

Honorable Board of Aldermen

David Olson, Clerk of the Board

Sandy Pooler, Chief Administrative Officer

Susan Burstein, Chief Budget Officer

Chief Joseph LaCroix

Arthur F. Cabral, Budget and Project Specialist

Change Orders Pending

- Eliminate CMU Walls Below New Stairs
- Storage Room Wall
- Electrical/Wall Changes in Offices 214 and 215
- Modified Pavement System at New Drive and Existing Pavement Replacement
- ACT Ceiling in Existing Stair Hall E204
- ACT Ceiling in New Stair 228
- Underground Tanks Removal and Newton 275 Gal. Tank
- Extend GWB to Underside of Deck
- Eliminate Window Roller Shades
- ADA Undercounter Refrigerator
- Hardware Core Changes
- Concrete Cap at Holding Tank

City of Newton

#196-07(5)

CHANGE ORDER NO.1

TO

CONTRACT NO. C- 2664

TO: Re Cappoli – Chief Procurement Officer

THROUGH: A. Nicholas Parnell, AIA

FROM: Arthur Cabral

DATE: March 26, 2009

M.G.L. c.149 and M.G.L. c.30, sec.39M states that: Change orders must be in writing. Within 30 days after a change order is issued, the awarding authority must issue a certificate, signed under penalties of perjury, containing the following:

Due to Masonry filed-sub Low Bidder withdrawing their bid, there was a change in the cost of this filed sub bid. The original contract total included the additional cost of the new Masonry Filed Sub Bid cost but not the mark-up that is entitled to the General Contractor, the following change in the original contract total is required at this time:

Mark-up for increased masonry filed sub-bid due to original sub-bidder withdrawing their bid - \$8,388.00

No substitutions from the original design documents is necessary and that the contract price has been equitably adjusted based on the original bid provided.

This change does not significantly hurt the project and that it is in the best interest of the awarding authority. [M.G.L.c.30,sec.39M]

In accordance with the requirements of G.L. c. 30, §39I, the City, acting through its Public Buildings Commissioner, certifies that any substantial deviation(s) from the original plans and specifications proposed by the above referenced proposed Change Order: 1) does not materially injure the Project as a whole; 2) is of the same cost and quality as the originally specified work or that an equitable adjustment in the Contract Sum has been agreed upon by the Parties; and 3) that the deviation is in the best interest of the City.

Signed under Pains and Penalties of Perjury this 26th day of March, 2009.

Commissioner of Public Buildings

City of Newton

#196-07(5)

CHANGE ORDER NO.2

TO

CONTRACT NO. C- 2664

TO: Re Cappoli – Chief Procurement Officer

THROUGH: A. Nicholas Parnell, AIA

FROM: Arthur Cabral

DATE: March 26, 2009

M.G.L. c.149 and M.G.L. c.30, sec.39M states that: Change orders must be in writing. Within 30 days after a change order is issued, the awarding authority must issue a certificate, signed under penalties of perjury, containing the following:

Due to unforeseen conditions, the following changes in the original contract are required at this time:

1. Additional Asbestos Removal - \$29,323.98

No substitutions from the original design documents is necessary and that the contract price has been equitably adjusted based on the original bid provided.

This change does not significantly hurt the project and that it is in the best interest of the awarding authority. [M.G.L.c.30,sec.39M]

In accordance with the requirements of G.L. c. 30, §39I, the City, acting through its Public Buildings Commissioner, certifies that any substantial deviation(s) from the original plans and specifications proposed by the above referenced proposed Change Order: 1) does not materially injury the Project as a whole; 2) is of the same cost and quality as the originally specified work or that an equitable adjustment in the Contract Sum has been agreed upon by the Parties; and 3) that the deviation is in the best interest of the City.

Signed under Pains and Penalties of Perjury this 26th day of March, 2009.

Commissioner of Public Buildings

City of Newton

#196-07(5)

CHANGE ORDER NO. 3

TO

CONTRACT NO. C- 2664

TO: Re Cappoli – Chief Procurement Officer

THROUGH: A. Nicholas Parnell, AIA

FROM: Arthur Cabral

DATE: March 26, 2009

M.G.L. c.149 and M.G.L. c.30, sec.39M states that: Change orders must be in writing. Within 30 days after a change order is issued, the awarding authority must issue a certificate, signed under penalties of perjury, containing the following:

Due to unforeseen conditions, the following changes in the original contract are required at this time:

1. Remove and dispose of chain link fence in apparatus bay	+1,518.44
2. Demolition and disposal of pipe chase walls	+1,228.15
3. Removal of unsuitable material in the drain & foundation trenches	<u>+3,151.76</u>
Total	\$5,898.35

No substitutions from the original design documents is necessary and that the contract price has been equitably adjusted based on the original bid provided.

This change does not significantly hurt the project and that it is in the best interest of the awarding authority. [M.G.L.c.30,sec.39M]

In accordance with the requirements of G.L. c. 30, §39I, the City, acting through its Public Buildings Commissioner, certifies that any substantial deviation(s) from the original plans and specifications proposed by the above referenced proposed Change Order: 1) does not materially injure the Project as a whole; 2) is of the same cost and quality as the originally specified work or that an equitable adjustment in the Contract Sum has been agreed upon by the Parties; and 3) that the deviation is in the best interest of the City.

Signed under Pains and Penalties of Perjury this 26th day of March, 2009.

Commissioner of Public Buildings

City of Newton

#196-07(5)

CHANGE ORDER NO.4

TO

CONTRACT NO. C- 2664

TO: Re Cappoli – Chief Procurement Officer

THROUGH: A. Nicholas Parnell, AIA

FROM: Arthur Cabral

DATE: June 9, 2009

M.G.L. c.149 and M.G.L. c.30, sec.39M states that: Change orders must be in writing. Within 30 days after a change order is issued, the awarding authority must issue a certificate, signed under penalties of perjury, containing the following:

The following changes in the original contract are required at this time:

1. One of the addenda removed the Kitchenette unit that included a sink and faucet but did not call for a standard sink and faucet to be installed. Cost to provide: \$ 1,694.84
 2. Demolition of additional concrete on apparatus floor not shown on drawings: \$ 1,468.20
 3. Replace plumbing fixtures in Bath E206. Not originally part of project but added during pre-construction meeting: \$ 8,658.46
 4. Existing condition of soils around building required additional test pits to determine the composition of the soil: \$ 1,038.34
 5. Existing column at front of the building was found to require replacement after the removal of the masonry around it. Column was found to be twisted after demolition was complete: \$14,383.37
 6. Construction of a CMU wall instead of the sheet rock wall shown on the drawings due to the relocation of water main installed by the City of Newton: \$ 7,122.50
 7. The water heater shown on the drawings would not fit through the existing door opening. Two smaller units were purchased at reduced cost: (\$ 2,825.00)
 8. Original plans called for the installation of GWB on all wall surfaces on the stairwells and mezzanine offices. This change is to provide GWB and framing on the lower portion of the wall to accomodate a new chair rail not called for originally on the plans: \$1,922.48
 9. Two additional structural frame floor openings we required after the coordination of the various trades on the job revealed a conflict: \$1,697.00
- Total \$35,160.19

City of Newton

#196-07(5)

CHANGE ORDER NO. 5
TO
CONTRACT NO. C- 2664

TO: Re Cappoli – Chief Procurement Officer

THROUGH: A. Nicholas Parnell, AIA

FROM: Arthur Cabral

DATE: July 6, 2009

M.G.L. c.149 and M.G.L. c.30, sec.39M states that: Change orders must be in writing. Within 30 days after a change order is issued, the awarding authority must issue a certificate, signed under penalties of perjury, containing the following:

The following changes in the original contract are required at this time:

1. Lighting and wiring changes requested by Fire Department after Project was bid.	+ \$4,040.61
2. Installation of Arc fault Circuit Breakers per Electrical Inspector after Project was bid	+ \$6,225.60
3. Credit for not removing existing window sills and door frames	(\$1,000.00)
4. Install wood trim for chair rails not within original scope of the bid project.	
This is a scope change from the bid documents	+\$ 1,540.77
5. Purchase of Fire Alarm panel originally to be purchased by the City	+\$2,797.94
6. Elimination of fire suppression system above ceiling per Fire Department:	(\$1,050.00)
7. Change in door and hardware styles, additional of some styles and reduction of others	(\$ 1,080.00)
8. Installation of a new sump pump pit cover and venting of same per the Plumbing Inspector:	<u>\$2,657.51</u>
Total	14,132.43

No substitutions from the original design documents are necessary and that the contract price has been equitably adjusted based on the original bid provided.

This change does not significantly hurt the project and that it is in the best interest of the awarding authority. [M.G.L.c.30,sec.39M]

In accordance with the requirements of G.L. c. 30, §39I, the City, acting through its Public Buildings Commissioner, certifies that any substantial deviation(s) from the original plans and specifications proposed by the above referenced proposed Change Order: 1) does not materially injure the Project as a whole; 2) is of the same cost and quality as the originally specified work or that an equitable adjustment in the Contract Sum has been agreed upon by the Parties; and 3) that the deviation is in the best interest of the City.

Signed under Pains and Penalties of Perjury this 8th day of June, 2009.

Commissioner of Public Buildings

City of Newton

#196-07(5)

CHANGE ORDER NO. 6
TO
CONTRACT NO. C- 2664

TO: Re Cappoli – Chief Procurement Officer

THROUGH: A. Nicholas Parnell, AIA

FROM: Arthur Cabral

DATE: August 21, 2009

M.G.L. c.149 and M.G.L. c.30, sec.39M states that: Change orders must be in writing. Within 30 days after a change order is issued, the awarding authority must issue a certificate, signed under penalties of perjury, containing the following:

The following changes in the original contract are required at this time:

- | | |
|------------------------------------------------------------------------------------------------|--------------|
| 1. Change CO2 detectors from 110v to 24v per Fire Department | \$ 2,506.53 |
| 2. Install Epoxy Flooring in Bath E206. (enhancement - not to be done in original contract) | \$ 4,018.27 |
| 3. Repair of unknown sill conditions at Overhead Doors | \$23,196.93 |
| 4. Install concrete apron at overhead doors due to unknown filed conditions | \$ 9,250.53 |
| 5. Removal and disposal of underground fuel oil tanks (enhancement - not in original contract) | \$14,402.85 |
| 6. Re-route 911 lines and electrical service (FD request - not in original contract) | \$11,692.68 |
| 7. Installation of exterior gas line (FD request - not in original contract) | \$ 2,145.91 |
| 8. Change in style of over head doors - Credit (PBD request to change style) | (\$457.00) |
| 9. Infill apparatus wall holes to intermediate floor level (not in original contract) | \$ 807.35 |
| 10. Reduction in area of roof to be removed for new HVAC equipment – Credit | (\$7,973.00) |
| 11. PBD request to Change from ceiling to floor mounted Toilet Partitions – Credit | (\$ 700.00) |

Total \$58,891.05

Minor substitutions from the original design documents were necessary and that the contract price has been equitably adjusted based on the original bid provided.

This change does not significantly hurt the project and that it is in the best interest of the awarding authority. [M.G.L.c.30,sec.39M]

In accordance with the requirements of G.L. c. 30, §39I, the City, acting through its Public Buildings Commissioner, certifies that any substantial deviation(s) from the original plans and specifications proposed by the above referenced proposed Change Order: 1) does not materially injure the Project as a whole; 2) is of the same cost and quality as the originally specified work or that an equitable adjustment in the Contract Sum has been agreed upon by the Parties; and 3) that the deviation is in the best interest of the City.

Signed under Pains and Penalties of Perjury this 21st day of August, 2009.

Commissioner of Public Buildings